

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 36788 of 2004(D)

PETITIONER:

- 1. ROSY SEBASTIAN, AGED 80 YEARS,
W/O.LATE K.A.SEBASTIAN, KOLENCHERRY HOUSE,
NETTINEMPULLY KARA, KALADY VILLAGE,
ALUVA TALUK.**
- 2. JOY SEBASTIAN, AGED 50 YEARS,
M.G.RAMAKRISHNAN, AGED 55 YEARS,
KOLENCHERRY HOUSE, NETTINEMPULLY KARA,
KALADY VILLAGE, ALUVA TALUK.**

BY ADV. SRI.RAHUL VENUGOPAL

RESPONDENTS:

- 1. STATE OF KERALA, REP. BY DISTRICT
COLLECTOR, ERNAKULAM.**
- 2. THE DEPUTY TAHSILDAR, (RR), O/O.THE
SPECIAL TAHSILDAR, REVENUE RECOVERY, ALUVA.**
- 3. THE VILLAGE OFFICER, VILLAGE OFFICE,
KALADY.**
- 4. JOLLY SEBASTIAN, AGED 36 YEARS,
33 ROOPA NAGAR, ETENSION, RAMANATHAPURAM.
P.O.COIMBATORE 45, TAMIL NADU, 641 045.**
- 5. STANLY SEBASTIAN, AGED 38 YEARS,
KOLENCHERRY HOSUE, V.I.P.COLONY, COURT ROAD,
PERUMBAVOOR, 683 542.**

BY GOVERNMENT PLEADER SRI. K.V. SANTHOSH KUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 36788/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PANCHAYATH TAX RECEIPT.

EXT.P2. COPY OF THE DEMAND NOTICE DT. 4/11/2004.

EXT.P3. COPY OF THE DEMAND NOTICE DT. 4/11/2004.

True copy

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KURIAN JOSEPH, J.

W.P. (C). NO. 36788 OF 2004

Dated this the 22nd day of June, 2007.

J U D G M E N T

This writ petition is filed with the following prayers.

- i) To call for the records leading to Exhibit P2 and P3 demand notice and quash the same by writ of Certiorari.
- ii) Issue a writ of mandamus or any other appropriate writ or order or direction directing the respondents 1 to 3 not to proceed against the movable and immovable property of the petitioners.

2. This Court on 25.01.2005 passed an order directing the petitioners to produce documents of title of their properties before the second respondent. Learned Government Pleader submits that, so far the petitioners have not produced the documents. Therefore, this writ petition is disposed of as follows.

In the event of the petitioners producing the documents of tile of their properties before the second respondent, the matter will be duly examined by the second respondent, in accordance with law, with notice to the petitioners.

KURIAN JOSEPH, JUDGE.